IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24618 of 2004

Between:

Gunji Kotaiah, s/o Venkaiah,
r/o Vithal Nagar, Chirala, Prakasam (Dt.)

..... PETITIONER

AND

1 The District Collector, Prakasam District, Ongole.
2 The Revenue Divisional officer, Ongole, Prakasam District.
3 The Mandal Revenue Officer, Chirala Mandal, Chirala,
Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ direction or order one in the nature of writ of mandamus declaring the action of the respondents granting temporary pattas on Donka poramboke to an extent of 0.13 cents in S.No.96 near Dandu Bata, Perala Village within the limits of Chirala Municipality, Prakasam (Dt) is illegal and arbitrary besides against the principles of natural justice and against the rules of Revenue and consequently direct the respondents 1 to 3 to cancel the pattas granted on Donka in S.No.96 near Dandu Bata, Perala Village, within the limits of Chirala Municipality, Prakasam (Dt.) admeasuring 0.13 cents.

For the Petitioner: MRS.MADHAVI KAMBHAMPATI, Advocate.

For the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue and with their consent the writ petition itself is disposed of at the stage of admission.

The petitioner filed this writ petition on an apprehension that the respondents are going to assign an extent of Ac.0-13 cents of Donka Poramboke situated in Survey No.96 of Perala village, Chirala Municipality, Prakasam District to landless poor without following the Rules governing such assignment. His grievance is that though he made a representation dated 02-12-2004 to respondent Nos.1 and 3 for assignment of the said land in his favour, the same has not been considered so far.

Having regard to the fact that the petitioner is seeking assignment of the land and the representation stated to have been made by him on 02-12-2004 is pending before respondent Nos.1 and 3, I deem it appropriate to dispose of the writ petition with an observation that in case the respondents intend to grant any assignment in respect of the land in question, they may consider the said representation of petitioner, before such assignment.

Accordingly, the writ petition is disposed of at the stage of admission.

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N.V. RAMANA, J

Date: 29-12-2004

Svv

To

1 The District Collector, Prakasam District, Ongole.
2 The Revenue Divisional officer, Ongole, Prakasam District.
3 The Mandal Revenue Officer, Chirala Mandal, Chirala, Prakasam District.

4 Two CCs. to the Government Pleader for Revenue, High Court Buildings, A.P., Hyderabad (OUT).

5 Two CD copies.